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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/711,272	09/07/2004	**John Ronald Burr**	133684-1	5271

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EXAMINER	
GORTAYO, DANGELINO N	
ART UNIT	PAPER NUMBER
2168	

MAIL DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/711,272	BURR ET AL.	
	Examiner	Art Unit	
	DANGELINO N. GORTAYO	2168	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *19 May 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-24* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-24* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. In the amendment filed on 5/19/2008, claims 1, 15, and 23 have been amended. The currently pending claims considered below are Claims 1-24.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Petite (US Patent 7,103,511 B2) in view of Zintel et al. (US Patent 7,130,895 B2)

As per claim 1, Petite teaches "A system for sharing configuration information among a plurality of devices," (see Abstract and column 2 line 48 – column 3 line 6)

"the system comprising: a network;" (Figure 1 and column 4 lines 21-34)

"a plurality of consumer devices in communication with the network;" (Figure 1 references 130, 140, column 5 lines 17-23, and column 6 lines 44-61, wherein one or more sensors or actuators are connected to the network)

"and a plurality of producer devices in communication with the network, the plurality of producer devices able to communicate with the plurality of consumer devices via the network," (column 5 line 57 - column 6 line 10, wherein a plurality of site

controllers are connected to a plurality of sensors/actuators via transceivers, and is also connected to the automated monitoring system, including multiple user workstations)

each of the plurality of producer devices including configuration information protocol that when provided to one of the plurality of consumer devices allow the receiving consumer device to properly configure data received from the producer device from which the configuration information was received, (column 11 lines 11-56 and column 16 lines 10-20, wherein site controllers contain memory with look-up tables holding specific settings and functions, and can pass messages to a plurality of sensor/actuators containing commands)

"each of the plurality of consumer devices able to automatically request configuration information from one of the plurality of producer devices pertaining to data received from the one of the plurality of producer devices in response to receiving data from the one of the plurality of producer devices." (column 12 lines 8-19, lines 56-64, and column 15 line 25-41, lines 48-57, wherein a site controller can send changes in current sensor/actuator settings in response to detected data from sensor/actuators)

"the one of the plurality of the producer devices being responsive to the request without alteration of data or configuration information produced from the one of the plurality of producer devices." (column 5 line 57 - column 6 line 44, column 10 lines 18-49, column 17 lines 36-62, wherein site controllers can pass act as a back-up site controller or double the capacity of a single system, passing information between each other without modifying the database files received and maintained)

Petite does not teach that the configuration information stored in the producer devices is independent of configuration information, that can be different from the configuration information in another of the producer devices, without a common database of configuration information or a central configuration information repository.

Zintel teaches that the configuration information stored in the producer devices is independent of configuration information, that can be different from the configuration information in another of the producer devices, without a common database of configuration information or a central configuration information repository. (column 2 line 60 – column 3 line 10, column 17 line 9 – column 18 line 18, column 22 lines 37-56, column 51 lines 10-39, wherein configuration information can be transferred between devices in an ad hoc peer network, without a central database, through Universal Plug and Play support)

It would have been obvious at the time of the invention for one of ordinary skill in the art to modify Petite's system of monitoring and controlling a plurality of remote devices with Zintel's ability to utilize multiple configuration information contained in different devices to provide automatic configuration for a plurality of devices to handle multiple configuration files contained in different devices. This gives the user the ability to utilize multiple configurations that are separately stored in different devices without needing a central database containing configuration information. The motivation for doing so would be to provide less experienced users with the ability to network various devices (column 2 lines 18-33).

As per claim 2, Petite teaches "the configuration information includes one or more of data type, encoding, location, and array length a signature, a time stamp, data size, an array element index, cardinality, an offset, and an address of a data sample." (column 17 lines 12-26, lines 36-42)

As per claim 3, Petite teaches "the configuration information includes default values." (column 11 lines 33-45, "function codes")

As per claim 4, Zintel teaches "the configuration information includes a first configuration and a second configuration, the second configuration being unique in comparison to configurations of all other producer devices, the producer device transmits the data sample having the first configuration and a version of the first configuration and at least one of an indication that the second configuration is pending and a version of the second configuration." (column 22 line 16 – column 23 line 23)

As per claim 5, Zintel teaches "the producer device receives a request from the consumer device to send the configuration information in response to the at least one of the indication that the second configuration is pending and the version of the second configuration." (column 31 lines 43-57, column 33 lines 27-42)

As per claim 6, Zintel teaches "the configuration information includes a first configuration and a second configuration, the second configuration being unique in comparison to configurations of all other producer devices, the producer device transmits at least one of the data sample having the first configuration, a version of the first configuration, an indication that the second configuration is pending, and a version of the second configuration." (column 22 line 16 – column 23 line 23)

As per claim 7, Zintel teaches "the producer device receives a request from the consumer device to send the configuration information in response to the at least one of the indication that the second configuration is pending and the version of the second configuration." (column 31 lines 43-57, column 33 lines 27-42)

As per claim 8, Petite teaches "the consumer device detects a mismatch in the configuration information via the network." (column 6 line 62 – column 7 line 7)

As per claim 9, Petite teaches "the producer device receives an instruction from external source to change the configuration information from a first configuration to a second configuration." (column 20 lines 33-45)

As per claim 10, Petite teaches "the producer device instructs the consumer device via the network that a change in the configuration information is pending." (column 17 lines 12-35, column 18 lines 9-22, column 19 line 49 – column 20 line 5)

As per claim 11, Petite teaches "the producer device maintains a first configuration for a predetermined time and creates a second configuration." (column 17 lines 12-26, lines 36-42)

As per claim 12, Petite teaches "the producer device transmits the second configuration to the consumer device." (column 15 lines 48-67)

As per claim 13, Petite teaches "the producer device implements the second configuration and the consumer device responds and implements the second configuration." (column 16 line 55 – column 17 line 11)

As per claim 14, Petite teaches "the network includes at least one of an local area network, a wide area network, a global network, a virtual private network, an

intranet, an Ethernet local area network with internet protocol." (Figure 1 reference 120 and column 5 lines 57-65)

As per claim 15, Petite teaches "A method for sharing configuration information among a plurality of devices," (see Abstract and column 2 line 48 – column 3 line 6)

"the method comprising: transmitting a data sample from a producer device to a consumer device via a network;" (Figure 1 references 130, 140, column 5 lines 17-23, and column 6 lines 44-61, wherein one or more sensors or actuators are connected to the network and sends information to site controllers)

"receiving a request at the producer device from the consumer device to send configuration information to the consumer device, the configuration information relating to the data sample;" (column 11 lines 11-56 and column 16 lines 10-20, wherein site controllers contain memory with look-up tables holding specific settings and functions, and can pass messages to a plurality of sensor/actuators containing commands)

automatically transmitting the configuration information, without modifying the configuration information as a result of the request, stored in the producer device to the consumer device via the network in response to receiving the request from the consumer device (column 5 line 57 - column 6 line 44, column 12 lines 8-19, lines 56-64, column 15 line 25-41, lines 48-57, and column 17 lines 36-62, wherein a site controller can send changes in current sensor/actuator settings in response to detected data from sensor/actuators, the site controller being able to communicate with another site controller without modifying the maintained database files)

Petite does not teach that the configuration information stored in the producer devices is independent of configuration information that can be different from the configuration information in another of the producer devices, without a common database of configuration information or a central configuration information repository.

Zintel teaches that the configuration information stored in the producer devices is independent of configuration information, that can be different from the configuration information in another of the producer devices, without a common database of configuration information or a central configuration information repository. (column 2 line 60 – column 3 line 10, column 17 line 9 – column 18 line 18, column 22 lines 37-56, column 51 lines 10-39, wherein configuration information can be transferred between devices in an ad hoc peer network, without a central database, through Universal Plug and Play support)

It would have been obvious at the time of the invention for one of ordinary skill in the art to modify Petite's system of monitoring and controlling a plurality of remote devices with Zintel's ability to utilize multiple configuration information contained in different devices to provide automatic configuration for a plurality of devices to handle multiple configuration files contained in different devices. This gives the user the ability to utilize multiple configurations that are separately stored in different devices without needing a central database containing configuration information. The motivation for doing so would be to provide less experienced users with the ability to network various devices (column 2 lines 18-33).

As per claim 16, Petite teaches "detecting a mismatch at the consumer device in the configuration information." (column 6 line 62 – column 7 line 7)

As per claim 17, Zintel teaches "receiving an instruction at the producer device to change the configuration information from a first configuration to a second configuration." (column 31 lines 43-57, column 33 lines 27-42)

As per claim 18, Petite teaches "instructing the consumer device via the network that the change in the configuration information is pending." (column 18 lines 9-22)

As per claim 19, Petite teaches "maintaining the first configuration at the producer device for a predetermined time and creating the second configuration at the producer device." (column 17 lines 12-26, lines 36-42)

As per claim 20, Petite teaches "transmitting the second configuration to the consumer device." (column 15 lines 48-67)

As per claim 21, Petite teaches "implementing the second configuration at the producer device." (column 15 lines 48-67 and column 17 lines 36-42)

As per claim 22, Petite teaches "implementing the second configuration at the consumer device in response to the producer device implementing the second configuration." (column 16 line 55 – column 17 line 11)

As per claim 23, Petite teaches "A computer program product for sharing configuration information among a plurality of devices," (see Abstract and column 2 line 48 – column 3 line 6)

"the computer program product comprising: a storage medium readable by a processing circuit and storing instructions for execution by the processing circuit for performing a method comprising:" (column 8 lines 35-58)

"transmitting a data sample from a producer device to a consumer device via a network;" (Figure 1 references 130, 140, column 5 lines 17-23, and column 6 lines 44-61, wherein one or more sensors or actuators are connected to the network and sends information to site controllers)

"receiving a request at the producer device from the consumer device to send configuration information to the consumer device, the configuration information relating to the data sample;" (column 11 lines 11-56 and column 16 lines 10-20, wherein site controllers contain memory with look-up tables holding specific settings and functions, and can pass messages to a plurality of sensor/actuators containing commands)

automatically transmitting the configuration information stored in the producer, without modifying the configuration information as a result of the request, device from the producer device to the consumer device via the network in response to receiving the request from the consumer device" (column 5 line 57 - column 6 line 44, column 12 lines 8-19, lines 56-64, column 15 line 25-41, lines 48-57, and column 17 lines 36-62, wherein a site controller can send changes in current sensor/actuator settings in response to detected data from sensor/actuators, the site controller being able to communicate with another site controller without modifying the maintained database files)

Petite does not teach that the configuration information stored in the producer devices is independent of configuration information that can be different from the configuration information in another of the producer devices, without a common database of configuration information or a central configuration information repository.

Zintel teaches that the configuration information stored in the producer devices is independent of configuration information, that can be different from the configuration information in another of the producer devices, without a common database of configuration information or a central configuration information repository. (column 2 line 60 – column 3 line 10, column 17 line 9 – column 18 line 18, column 22 lines 37-56, column 51 lines 10-39, wherein configuration information can be transferred between devices in an ad hoc peer network, without a central database, through Universal Plug and Play support)

It would have been obvious at the time of the invention for one of ordinary skill in the art to modify Petite's system of monitoring and controlling a plurality of remote devices with Zintel's ability to utilize multiple configuration information contained in different devices to provide automatic configuration for a plurality of devices to handle multiple configuration files contained in different devices. This gives the user the ability to utilize multiple configurations that are separately stored in different devices without needing a central database containing configuration information. The motivation for doing so would be to provide less experienced users with the ability to network various devices (column 2 lines 18-33).

As per claim 24, Petite teaches "configuration information is stored in the producer device." (column 11 lines 11-22, column 17 lines 12-26, lines 36-42)

Response to Arguments

4. Applicant's arguments, see page 7, filed 5/19/2008, with respect to the rejection of claims 1-24 in regards to 35 USC 103(a) have been fully considered but they are not persuasive.

a. Examiner is entitled to give claim limitations their broadest reasonable interpretation in light of the specification. See MPEP 2111 [R-I]

Interpretation of Claims-Broadest Reasonable Interpretation

During patent examination, the pending claims must be 'given the broadest reasonable interpretation consistent with the specification.' Applicant always has the opportunity to amend the claims during prosecution and broad interpretation by the examiner reduces the possibility that the claim, once issued, will be interpreted more broadly than is justified. In re Prater, 162 USPQ 541,550-51 (CCPA 1969).

b. Applicant's arguments is stated as Petite in view of Zintel does not teach the one of the plurality of the producer devices being responsive to the request without alteration of data or configuration information produced from the one of the plurality of producer devices.

In regards to the arguments, Examiner respectfully disagrees. As disclosed in the above rejection, Petite is the primary reference that discloses producer devices (column 5 line 57 - column 6 line 10, site controllers and workstations) that store configuration information (column 11 lines 11-56, column 16 lines 10-20, column 17 lines 12-62) to communicate with consumer devices. As further disclosed by Petite in column 5 line 57 - column 6 line 44 and column 17 lines 36-62, a site controller can pass act as a back-up site controller or double the capacity of a single system, passing information between other site controllers without modifying the database files received and maintained. The database files stored in the site controllers are maintained in case of a failure, as one example shows, and the database files can be used to configure the sensors and actuators connected to the automatic monitoring system. When the site controller is in communication with another site controller, the data is not modified, to properly act as a back-up or to extend the capacity of the monitoring system. As further disclosed in column 10 lines 18-49, the data path between site controllers and the sensors can contain multiple intermediate wireless communication devices, including other site controllers and workstations, which pass on data without modification. The argument put forth by the applicant, that Zintel does not teach the described limitation, is not applicable, as the primary prior art of Petite discloses one or more producer devices containing configuration information, and the prior art of Zintel is combined with the automatic monitoring and configuration system of Petite to cover the limitation

that the producer device of Petite include a configuration information protocol independent of configuration information of other producer devices without a common database of configuration information or a central configuration information repository. Therefore, Petite in view of Zintel teaches the one of the plurality of the producer devices being responsive to the request without alteration of data or configuration information produced from the one of the plurality of producer devices.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dangelino N. Gortayo whose telephone number is (571)272-7204. The examiner can normally be reached on M-F 7:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tim T. Vo can be reached on (571)272-3642. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Dangelino N Gortayo/
Examiner, Art Unit 2168

/Tim T. Vo/
Supervisory Patent Examiner, Art Unit 2168

Dangelino N. Gortayo
Examiner

Tim Vo
SPE